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JUN 27 2007

In re Application of  
Tommy Lewis  
Application No. 09/996,405  
Filed: 11-20-2001  
Attorney Docket No. HER0101

**OFFICE OF PETITIONS**

**ON PETITION**

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed February 23, 2007, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed June 30, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 1, 2005. The Office mailed a Notice of Abandonment on March 9, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a continuing application under 37 CFR 1.53(b); (2) the petition fee; and (3) a proper statement of unintentional delay.

This application is being revived solely for purposes of continuity. As continuity has been established by this decision, the application is again abandoned in favor of continuing application No. 11/710,641.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3211.

*C. T. Donnell*

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